

**STATE WATER RESOURCES CONTROL BOARD
BOARD WORKSHOP SESSION – DIVISION OF WATER QUALITY
JULY 22, 2020**

ITEM 12

SUBJECT

PUBLIC WORKSHOP FOR THE PROPOSED GENERAL WASTE DISCHARGE REQUIREMENTS FOR WINERY PROCESS WATER TREATMENT SYSTEMS

DISCUSSION

State Water Board staff has developed proposed General Waste Discharge Requirements for Winery Process Water Treatment Systems (proposed General Order) and a draft California Environmental Quality Act Initial Study, Mitigated Negative Declaration. Wine making is an important industry in the State of California that generates \$114 billion in annual economic impact. This industry employs 786,000 people nationally and 325,000 in California. The wine industry contributes a significant amount of revenue to the California economy estimated at \$57.6 billion annually through tax revenue, wages, tourism, and sales.

Wine making also generates process water with the potential to degrade groundwater quality depending on winery-specific activities, size, and treatment processes. The primary winery process water constituents of concern for groundwater quality are nitrogen, salinity, and biochemical oxygen demand (BOD). The proposed General Order will apply statewide and includes requirements to ensure winery operations will not adversely impact water quality.

Water Code Section 13260 requires a person discharging waste to submit a Report of Waste Discharge to the Regional Water Quality Control Board (Regional Water Board) and pay an annual fee. Water Code Section 13263 requires the prescription of waste discharge requirements, which may be in the form of general waste discharge requirements for a category of discharges if the State Water Board or the Regional Water Board determines that the discharges involve similar operations, types of waste, treatment standards, and the discharges are more appropriately regulated under general discharge requirements than individual. This proposed General Order has been developed to streamline statewide permitting of winery process water discharges to land, to achieve statewide consistency, and to allow Regional Water Boards to focus their resources on developing orders for higher risk activities. The proposed General Order provides protection of groundwater quality while considering the cost of compliance by providing wineries flexibility in selecting compliance methods that best fit their site-specific situation and tiers the compliance requirements to the winery size and associated threat to water quality.

The Wine Institute estimates 2,070 of the 3,612 bonded wineries in California will be subject to the proposed General Order. There are only about 540 wineries or 15 percent currently permitted by the Water Boards. Staff estimates that many of the unpermitted wineries will have an upfront cost to update treatment systems and commence monitoring to comply with this proposed General Order. The Order creates a statewide fee policy which may change fees currently paid by wineries and may result in some wineries paying a statewide fee and a local agency oversight fee (e.g. if located in Napa County).

POLICY ISSUE

This is a public workshop to present the proposed General Order and the draft Initial Study, Mitigated Negative Declaration. The State Water Board is currently scheduled to consider adoption of the proposed General Order on November 17, 2020.

FISCAL IMPACT

No additional fiscal impact to currently budgeted program resources.

REGIONAL BOARD IMPACT

Regional Water Quality Control Board staff resources may be impacted due to a surge of new enrollments and transitioning existing enrollees to the new statewide General Order. In long term, the statewide General Order will lead to reduced Regional Water Quality Control Board staff workload in comparison to issuing site-specific orders.

STAFF RECOMMENDATION

The State Water Board will not take action at this public workshop; therefore there is no staff recommendation at this time.